

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
August 18, 2009**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Gadberry, McFarland, Valadez, Westheimer, Hawkins, Myers, Wright,
Martinez, Tiller, Gray

ABSENT: None

3. Approval of August 4, 2009 Zoning Commission Minutes.

4. **ZONING CASE NUMBER Z2008064 ERZD (Council District 9):** A request for a change in zoning from “R-6 ERZD” Residential Single Family Edwards Recharge Zone District to “C-3 ERZD” General Commercial Edwards Recharge Zone District on Parcel 25A and Parcel 27, NCB 18218, save and except 0.4592 acres out of NCB 18218, 23000 Block of US Highway 281 North. Staff recommends approval.

Patrick Christensen, representative, stated the purpose of this request is to allow development of a hotel on the subject property. He stated he has been working closely with Winchester Homeowner’s Association and surrounding property owners. He further stated he would like to formally amend his request to create a 200 foot “C-2” buffer. He stated they have agreed on the following deed restrictions: 35 foot height limit on the “C-3” portion and a 25 foot height limit on the “C-2” portion, 100-foot building setback and a 50-foot landscape buffer and have agreed to put an 8-foot fence along the northern property line.

The following citizen(s) appeared to speak:

Michael Parker, representing Winchester Hills Homeowners Association, stated they have been working closely with Mr. Christensen and are in support of this request.

Staff stated there were 14 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and Winchester Hills Homeowners Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner McFarland to recommend approval to include the 8-foot fence and SAWS recommendations.

AYES: Gadberry, McFarland, Valadez, Westheimer, Hawkins, Myers, Wright, Tiller, Gray
NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2009125 (Council District 5): A request for a change in zoning from "R-4" Residential Single-Family District to "C-2" Commercial District on Lots 25, 26, 27, and 46, Block 8, NCB 2491, 1419 South Hamilton Avenue. Staff recommends denial.

Robert Pizzini, representative, stated the purpose of this request is to allow for a convenience store. He stated his client currently operates a convenience store adjacent to the subject property. However, the existing convenience store does not meet code and does not provide adequate parking for customers. He stated he feels this proposal would be good for the community.

Staff stated there were 32 notices mailed out to the surrounding property owners, 1 returned in opposition and 6 returned in favor. Staff mailed 21 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Valadez and seconded by Commissioner Myers Hawkins to recommend denial.

AYES: Gadberry, McFarland, Valadez, Westheimer, Hawkins, Myers, Wright, Martinez, Tiller, Gray
NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2009129 (Council District 2): A request for a change in zoning from "MF-33" Multi-Family District to "C-3" General Commercial District on 4.156 acres out of Block 1, NCB 7457 and Block 19, NCB 1550 on a portion of the 300 Block of Yucca Street. Staff recommends denial of "C-3" with an alternate recommendation of "C-2".

Ken Brown, representative, stated he would like to amend his request as staff has recommended from "C-3" to "C-2" and would like to request a two-week continuance.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor. Staff mailed 26 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend a continuance until September 1, 2009.

AYES: Gadberry, McFarland, Valadez, Myers, Wright, Martinez, Tiller, Gray
NAY: None
RECUSED: Hawkins

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2009130 S (Council District 2): A request for a change in zoning from "MF-33" Multi- Family District to "C-3 S" General Commercial District with a Specific Use Authorization for a Correctional Facility (Transitional Home) on 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551 on a portion of the 300 block of Yucca Street. Staff recommends denial.

Ken Brown, representative, stated would like to request a two-week continuance. He stated the subject property is approximately 5 acres out of a 25 acre tract of land of which they intend to replat. He stated they are proposing to develop a transitional home on the subject property.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor. Staff mailed 26 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend a continuance until September 1, 2009.

AYES: Gadberry, McFarland, Valadez, Myers, Wright, Martinez, Tiller, Gray
NAY: None
RECUSED: Hawkins

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2009131 (Council District 4): A request for a change in zoning from "C-1" Light Commercial District to "C-2" Commercial District on Lot 3, Block 1, NCB 17380, 2003 West Hutchins Place. Staff recommends approval.

Shelley Morkovsky, applicant, stated the purpose of this request is to bring existing nursing home to compliance.

Staff stated there were 60 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 in favor and no response from South Park Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Myers and seconded by Commissioner Martinez to recommend approval.

AYES: Gadberry, McFarland, Valadez, Westheimer, Hawkins, Myers, Wright, Martinez, Tiller, Gray
NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2009132 (Council District 6): A request for a change in zoning from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on Parcel 18C, NCB 18080, 8400 Block of Reed Road. Staff recommends approval.

Tom Haag, owner, stated he would like to amend his request to "MF-25". He stated the purpose of this request is to make consistent with surrounding zoning.

The following citizen(s) appeared to speak:

Raymond Hall, Vice President of Crown Meadows Homeowners Association, stated they have met with the owner and are in support of the amendment of "MF-25".

Staff stated there were 47 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 in favor and no response from Timber Ridge Neighborhood Association and Crown Meadows Home Owners Association.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Westheimer to recommend approval of "MF-25".

AYES: Gadberry, McFarland, Valadez, Westheimer, Hawkins, Myers, Wright, Martinez, Tiller, Gray
NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2009133 S (Council District 1): A request for a change in zoning from "C-1" Light Commercial District to "C-1 S" Light Commercial District with a Specific Use Authorization for a Non-Commercial Parking Lot on 0.293 of an acre out of NCB 14987, 666 Freiling Drive & 6800 Park Ten Boulevard. Staff recommends approval with conditions.

Josie Becker, applicant, stated the purpose of this zoning request is to allow for a non commercial parking lot on the subject property. She stated the lot would be situated to have no access onto Freiling. She further stated they would also install security cameras, landscaping and lighting would be positioned as to not offend the surrounding property owners. She further stated she is agreeable with staff's conditions.

The following citizen(s) appeared to speak:

Daniel Bee, representing Dellview Area Neighborhood Association, stated they have met with Dr. Becker has been a good neighbor and they are in full support of this request.

Staff stated there were 23 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 in favor and Dellview Area Neighborhood Association is in favor. Staff mailed 29 notices to the planning team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Hawkins to recommend approval with staff's conditions.

1. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures; and
2. There shall be no Ingress/Egress onto Freiling Drive.

AYES: Gadberry, McFarland, Valadez, Westheimer, Hawkins, Myers, Wright, Martinez, Tiller, Gray

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2009134 (Council District 3 and 5): A request for a change in zoning from "C-2" Commercial District, "C-3" General Commercial District, "C-3 RIO-4" General Commercial River Improvement Overlay District-4, "C-3NA" General Commercial Nonalcoholic Sales District, "C-3NA RIO-4" General Commercial Nonalcoholic Sales River Improvement Overlay District-4, "C-3R" General Commercial Restrictive Alcohol Sales District, "H C-2 RIO-5" Commercial Mission Historic River Improvement Overlay District-5, "H C-3" General Commercial Mission Historic District, "H C-3 CD RIO-5" General Commercial Mission Historic River Improvement Overlay District-5 with a Conditional Use for On Premise Consumption of Alcoholic Beverages, "H C-3 RIO-5" General Commercial Mission Historic River Improvement Overlay District-5, "H C-3NA" General Commercial Nonalcoholic Sales Mission Historic District, "H C-3NA CD" General Commercial Nonalcoholic Sales Mission Historic District with a Conditional Use for a Packing Plant, "H C-3NA CD RIO-5" General Commercial Nonalcoholic Sales Mission Historic River Improvement Overlay District-5 with a Conditional Use for a Wholesale Food Distributor, "H C-3NA RIO-4" General Commercial Nonalcoholic Sales Mission Historic River Improvement Overlay District-4, "H C-3NA RIO-5" General Commercial Nonalcoholic Sales Mission Historic River Improvement Overlay District-5, "H C-3R" General Commercial Restrictive Alcohol Sales Mission Historic District, "H C-3R RIO-5" General Commercial Restrictive Alcohol Sales Mission Historic District River Improvement Overlay District-5, "H I-1" General Industrial Mission Historic District, "H MF-33 RIO-5" Multi-Family Mission Historic River Improvement Overlay District-5, "H O-2 RIO-5" Office Mission Historic River Improvement Overlay District-5, "H R-4" Residential Single Family Mission Historic District, "H R-5" Residential Single Family Mission

Historic District, "I-1" General Industrial District, "HS I-1 RIO-4" Historic Significant General Industrial River Improvement Overlay District-4, "I-1 RIO-4" General Industrial River Improvement Overlay District-4, "L S" Light Industrial District with a Specific Use Authorization for a Day Care Center, "O-2 RIO-4" Office River Improvement Overlay District-4, "R-4 RIO-4" Residential Single Family River Improvement Overlay District to "C-1" Light Commercial District, "HS C-2 RIO-4" Historic Significant Commercial River Improvement Overlay District-4, "C-2 RIO-4" Commercial River Improvement Overlay District-4, "C-2" Commercial District, "C-2NA RIO-4" Commercial Nonalcoholic Sales River Improvement Overlay District-4, "C-2NA" Commercial Nonalcoholic Sales District, "H C-1" Light Commercial Mission Historic District, "H C-2NA" Commercial Nonalcoholic Sales Mission Historic District, "H C-2 RIO-5" Commercial Mission Historic River Improvement Overlay District-5, "H C-2" Commercial Mission Historic District, "H C-2NA RIO-5" Commercial Nonalcoholic Sales Mission Historic River Improvement Overlay District-5, "H C-3" General Commercial Mission Historic District, "H IDZ" Infill Development Mission Historic District with uses permitted in "MF-33" Multi-Family and "C-2" Commercial Districts, "H MF-33 RIO-5" Multi-Family Mission Historic River Improvement Overlay District-5, "H MF-33" Multi-Family Mission Historic District, "H O-1 RIO-5" Office Mission Historic River Improvement Overlay District-5, "H R-6 RIO-4" Residential Single Family Mission Historic River Improvement Overlay District-4, "H R-6 RIO-5" Residential Single Family Mission Historic River Improvement Overlay District-5, "MF-18 RIO-4" Multi-Family River Improvement Overlay District-4, "MF-25" Multi-Family District, "MF-33 RIO-4" Multi-Family River Improvement Overlay District-4, "MF-33" Multi-Family District, "O-1 RIO-4" Office River Improvement Overlay District-4, "R-4 RIO-4" Residential Single Family River Improvement Overlay District-4, "R-6" Residential Single Family District, "R-6 RIO-4" Residential Single Family River Improvement Overlay District-4 on multiple legal descriptions for property generally located within 200 feet of Roosevelt Avenue between the terminus of St. Mary's Street and Southeast Military Drive and 300 feet of Roosevelt Avenue between Southeast Military Drive and Southeast Loop 410 and remaining portions of said property located outside of said distance from Roosevelt Avenue. Staff recommends approval pending plan amendment.

Michael Taylor, Senior Planner, presented item.

The following citizen(s) appeared to speak:

Hope Evans, spoke in support.

Garry Weiss, stated he has been grandfather since 1974. He currently has an auto sales business and is uncertain how this proposal would affect him if any.

James Burden, spoke in opposition. He stated he currently operates as auto repair business and is concerned with the negative impact this change would have on his property.

Garry Nelson, spoke in opposition.

Ryan Sweeney, spoke in opposition. He stated he would like to request his property be exempted from this proposal.

Jose Gallegos, representing property owner of 3705 Roosevelt, spoke in opposition. He stated this proposal would have a negative impact on his client's property therefore; he would like to request this case be continued for more clarity or request his client's property be exempt from this zoning change.

Ruth Rasher, spoke in opposition.

Juan Torres, spoke in opposition.

Ruby Perez, spoke in opposition.

Dean Perry, spoke in opposition.

Donald Schmidt, spoke in opposition.

Carlos Valle, spoke in opposition.

Ron Mullins, spoke in opposition.

Mike Tapia, spoke in opposition.

Mauricio Aragon, spoke in opposition.

Tony Shaker, spoke in opposition.

Ricardo Martinez, spoke in opposition.

Ray Luna, spoke in opposition.

Kenneth Lindsey, spoke in opposition.

Walter Greene, spoke in opposition.

Carol Brown, spoke in opposition.

Ernest Calderon, spoke in opposition.

Emma Ansley, spoke in opposition.

Rita Marquez, spoke in opposition.

Staff stated there were 175 notices mailed to owners of subject parcels, 577 notices to owners of property within 200 feet, 20 returned in opposition and 8 in favor and 1 returned without checking favor or opposition. Staff mailed 20 notices to South Central Planning Team and 16 notices to Stinson Steering Committee.

COMMISSION ACTION

The motion was made by Commissioner Valadez and seconded by Commissioner Hawkins to recommend a continuance until September 15, 2009.

AYES: Gadberry, McFarland, Valadez, Westheimer, Hawkins, Wright, Martinez, Tiller, Gray

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2009135 (Council District 3 and 5): A request for a change in zoning from multiple zoning districts to multiple zoning districts to adopt the Roosevelt Avenue Metropolitan Corridor Overlay District (MC-1) on multiple legal descriptions for property generally located within 200 feet of Roosevelt Avenue between the terminus of St. Mary's Street and Southeast Military Drive and 300 feet of Roosevelt Avenue between Southeast Military Drive and Southeast Loop 410. Staff recommends approval.

The following citizen(s) appeared to speak:

Socorro Rojas, stated she is unsure how if any this proposed request would affect her property.

Garry Nelson, spoke in opposition.

Tina Mata, spoke in opposition.

Dean Perry, spoke in opposition.

Ryan Sweeney, spoke in opposition.

Donald Smith, spoke in opposition.

Tony Shaker, spoke in opposition.

Hope Evans, spoke in opposition.

Kenneth Lindsey, spoke in opposition.

Staff stated there were 340 notices mailed to owners of subject parcels, 584 notices to owners of property within 200 feet, 23 returned in opposition and 12 in favor and 2 returned without checking favor or opposition. Staff mailed 20 notices to South Central Planning Team and 16 notices to Stinson Steering Committee.

COMMISSION ACTION

The motion was made by Commissioner Valadez and seconded by Commissioner Hawkins to recommend a continuance until September 15, 2009.

AYES: Gadberry, Valadez, Westheimer, Hawkins, Wright, Martinez, Tiller, Gray
NAY: McFarland

THE MOTION CARRIED


13. Briefing on the operations and procedures of the Zoning Commission.

Susan Guinn, Assistant City Attorney, briefed Zoning Commission on procedures.

14. ADJOURNMENT.

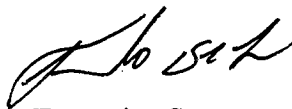
There being no further business, the meeting was adjourned at 4:45 p.m.

APPROVED:



Don Gadberry, Chairman

ATTEST:



Executive Secretary